10 August 2011

From: Rex Buddenberg

Reference: GN Docket No. 11-121, broadband for all Americans

My comments are those of a private citizen and taxpayer. The comments that I wish to make all revolve around your Notice's paragraph 19:

"Is broadband deployed to Americans in other ways that we should include in our next analysis? ... how could these be measured?"

Recommendation: deployment to emergency services vehicles (ambulances, fire trucks, police cruisers, snowplows) should be measured. The metric to be used should be reach to a router installed in the vehicle.

Reasoning: There are a myriad of use cases -- just one illustration: if the internet reach is to a router in an ambulance, then an open-ended variety of medical diagnostic sensors in the ambulance can be attached to the LAN and their data forwarded to an emergency room.

By adding a metric for penetration of internet to emergency services vehicles, your assessment criteria is now consistent with Chapter 16 of the National Broadband Plan.

Metric: Reach to end systems in an inadequate metric – counting routers will tell you much more and be much more honest.

Recommendation: DHS communications grant guidance and other government communications development guidance should be made consistent with National Broadband Plan.

and

Recommendation: Your analysis should measure the consistency and validity of guidance to a county (or other grant applicant) by various federal (e.g. DHS) as well as state entities (e.g. OES).

Reference: See "FY 2011 HSGP Supplemental Resource: SAFECOM Guidance" at http://www.fema.gov/government/grant/hsgp/#1

Reasoning: The Department of Homeland Security also publishes grant guidance that includes emergency services communications. Similarly, state Offices of Emergency Services have communications plans. But the DHS grant guidance is not consistent with the National Broadband Plan. The USDA 'reach to rural' and the DHS 'reach to emergency services platforms' are highly overlapping objectives. And they are funded from the same tax base (typically at county or state level). It is entirely practical to meet both needs with a single infrastructure. But the existing cacophany of guidance sees internet deployment into

schools, and non-routable communications technologies to emergency services – to cover the same geographical area.

(Whatever your definition of 'broadband', P25 is not.)

Recommendation: Grant guidance should include model business plans.

and

Recommendation: Grant evaluation metrics should include analysis of anchor tenant business plans.

Definition: the term anchor tenant is borrowed from shopping centers where one or two large stores are the anchor tenants and their presence attracts both other stores and customers. It is roughly synonymous with the term public-private partnership that you have used.

Reasoning: Communications technology, unattached to a business model, is not useful. In paragraph 20 you correctly note that the business case is weak in many locations (these will usually be rural ones). The business case becomes weaker if you have

- one government-owned communications infrastructure for emergency services,
- a second for non-EMS government,
- and a third for commercial, for-profit purposes – this last will then not appear.

The business case becomes much stronger if the government eschews attempting to own it's own communications and lets a commercial ISP merge the government (school, EMS) requirements with its own – an anchor-tenant business model.

The government has perfectly legitimate needs to reach to commercially uneconomic geography. And the government has legitimate needs for high availability/high survivability communications infrastructure that may also be commercially uneconomic; these needs should be met by government acting as the anchor tenant. These public-private partnership agreements can be accompanied by subsidies to meet these marginal needs. Conversely, ISP use of government facilities (light poles, real estate, schoolhouse rooftops etc) is appropriate.

Grant guidance should include a model-county template that outlines these marginal requirements differences (probably expressed as Service Level Agreements), similar to model legislation written by many federal government agencies for state legislative use. And your assessment should measure the effectiveness of such anchor-tenant implementations.

Please recall that the FCC obtained much the same in the old wireline POTS days through the regulatory process: the phone companies provided things like disadvantaged consumer access … and passed the costs to the ratepayers in their bills.

Thank you.

/s/ Rex Buddenberg